

EPA Hearing Oral Statement on the Proposed Rule, Strengthening Transparency in Regulatory Science, Docket ID No. EPA-HQ-OA-2018-0259 - July 17<sup>th</sup>, 2018

My name is Antonia Herzog and I am a scientist with a doctorate in Physics. I work in the Environment and Health Program at Physicians for Social Responsibility, a nonprofit organization based in Washington, DC with chapters in multiple states across the country and over thirty thousand members and activists around the country. Our mission is to protect human life from the gravest threats to health and survival; we number environmental pollution among those key threats.

PSR would like to express its strong opposition to the EPA's proposed rule, "Strengthening Transparency in Regulatory Science." This proposed rule could arbitrarily exclude many important scientific studies—including thousands of public health and epidemiological studies—that the agency uses to make informed policy decisions regarding major public health and environmental laws. While it pretends to be about "transparency", the policy actually will limit the agency's ability to use the best available science thereby weakening protections for public health and the environment. In essence it could censor and block much of the peer reviewed scientific research that has allowed us to address many serious environmental health threats over the decades.

EPA's proposed rule would place crippling restrictions on the use of data the Agency would accept in the rulemaking process by ultimately requiring investigators to divulge personal information about the participants in research studies. Scientific studies that failed to meet this criterion would not be acceptable to the Agency. At present, this kind of information must be kept confidential according to the generally accepted rules that govern the conduct of research that must be adhered to by agencies of the federal government and institutions that receive federal funds.

As an example, the Clean Air Act, a bedrock environmental law that protects us from dangerous air pollutants, is such a critical health protection that would be endangered under this proposed rule because it relies on a longitudinal epidemiologic study of thousands of individuals. This includes the National Ambient Air Quality Standards (NAAQS) in the Clean Air Act. These standards address six major classes of common air pollutants, including standards for fine

particles (PM 2.5), and are the backbone of the U.S. air quality management system.

The Clean Air Act specifies that new or revised NAAQS be based on scientific criteria that “accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air.” EPA has relied largely on community epidemiology and controlled human studies in establishing the specific pollutant levels and averaging times for NAAQS. If these studies were excluded by the EPA restrictions it would greatly reduce the availability of information that has proved to be significant in assessing the consistency and coherence of the evidence upon which the standards are based and would certainly weaken the scientific basis for maintaining or strengthening the current standards. If the proposed rule is approved, we could lose the Clean Air Act’s sweeping improvements to the air we breathe that we’ve benefited from over the last several decades thereby, putting thousands of lives that are saved each year at risk, because EPA will no longer be able to use key scientific research.

PSR’s mission is very similar to EPA’s stated mission “to protect human health and the environment.” To accomplish these objectives, we must protect the scientific integrity of the EPA. Physicians for Social Responsibility thus, strongly opposes the EPA’s deceptively named proposal, “Strengthening Transparency in Regulatory Science.”